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5 UNITED STATES DISTRICT COURT  
6 FOR THE WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 UNITED STATES OF AMERICA, et al.,

9 Plaintiffs,

10 v.

11 STATE OF WASHINGTON, et al.,

12 Defendants.

CASE NO. C70-9213RSM

SUBPROCEEDING NO. 19-01RSM

MINUTE ORDER REGARDING PENDING  
MOTIONS

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14 The following MINUTE ORDER is made by direction of the Court, the Honorable  
15 Ricardo S. Martinez, Chief United States District Judge:

16 Three motions for temporary restraining orders have been filed in this matter. Dkts. #8,  
17 #13, and #16.<sup>1</sup> All three sought to enjoin Lummi Nation (“Lummi”) fishing in the Region 2 East  
18 winter crab fishery that was scheduled to open November 6, 2019. Lummi has not yet responded  
19 to the motions or indicated its intent to respond per Local Civil Rule 65(b). Subsequently, the  
20 Swinomish Indian Tribal Community (“Swinomish”) represented to the Court that all parties  
21 involved have agreed that the fishery will not open as planned and that “Swinomish will update  
22 the information concerning the opening in a supplemental declaration.” Dkt. #19.<sup>2</sup>

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24 <sup>1</sup> Dkts. #22,076, #22,081, and #22,084 in Case No. C70-9213RSM.

<sup>2</sup> Dkt. #22,088 in Case No. C70-9213RSM.

Accordingly, the Court:

1. STRIKES the noting dates of the pending motions for temporary restraining orders.
2. ORDERS that the Lummi Nation, and any other interested parties, file responses to the pending motions for temporary restraining orders no later than November 7, 2019, at 12:00 p.m. Any response must comply with the requirements of Local Civil Rule 65(b), but the Lummi Nation need not provide notice of its intent to file any such response.
3. ORDERS that the moving parties renote, if necessary, their motions for temporary restraining orders for the Court's consideration at least three days prior to the new opening of the Region 2 East winter crab fishery. Nothing in this Minute Order prevents the parties from submitting a stipulation for a different noting date or briefing schedule so long as (1) the noting date is at least three days prior to the new opening of the Region 2 East winter crab fishery and (2) all briefing is completed on or before the noting date.

Dated this 5 day of November, 2019.

WILLIAM McCOOL, Clerk

By: /s/ Sharita Tolliver  
Deputy Clerk